

RYAN IS LOSER BY

Decision of Court Which Refuses to Admit Letter to Probate

Because of no Witnesses.

Attorney for Nebraskan Immediately Ask for an Exception to the Ruling---Nothing Descriptive in Will That Would Identify Sealed Letter.

Avon, Conn., March 31.—A court rejecting as evidence the "sealed letter" by which Wm. J. Ryan is to be given \$50,000 from the estate of the late Philip Bennett, today by Judge Gager in probate court, when the hearing of Ryan's appeal from the decision of the probate court declining to admit the "sealed letter" to probate, Judge Gager said the decision was dispositive in character. The court came within the statute which demands that the will be attested by three. He holds that the admission of the sealed letter would overrule the statute. The court said nothing descriptive in the phrase "The sealed letter" will be found with my will. There is nothing whatever in the sealed letter as that in section 12 of the will, which shows that this was the testator had in mind when he made the will. Immediately after the decision was made, Attorney Newton for Bryan asked an exception to the ruling. Attorney counsel for Mrs. Bennett, that the court give a ruling on the question at once, as he would be for the best in the litigation to get rulings on that, could be ruled upon. Judge Gager then decided. The recess ended, Mr. Bryan stood by Attorney Newton.

EXPLOSION IN A SQUIB FACTORY

At Least Five Girls, and Five Others Were Fatally Burned. Cause of Accident a Mystery.

Pa., March 31.—A number of girls employed in the Dickinson Manufacturing Co. works at near here, were killed by an explosion today. The number killed from six to thirteen. Twenty girls were employed in the building at the time of the explosion. The cause of the explosion is a mystery. One story is that the girls threw a squib into the building and set the structure on fire. The building in which the squib factory was located was burned down and the flames communicated to two adjoining buildings, one a butcher shop and the other a hotel. Both of these were also destroyed.

BURIAL

Funeral Crew and Passengers Recalled

Steamer and Floods Now Log in Indiana.

Ship, on the Evansville & Louisville Railroad, Where Was Lost, Again Washed Away.

Ind., March 31.—The ship on the Evansville and Louisville railroad was washed away this morning, closing traffic between Evansville and Vincennes. A general situation more serious at this point than years ago is being created by a similar flood, an oncoming train on the Evansville and Haute railroad dislodged a trestle which is at the bottom of the fill and nothing but a piece of one coach was ever found. It was never known how many were killed as no bodies of the train crew or passengers were ever recovered. The theory is that a sunken lake of quicksand is at the bottom.

COAL SHIPMENTS ARE ON INCREASE.

Scottsdale, Pa., March 31.—Not since the early weeks of last September has such a large shipment of coal been made from the Connellsville region as that of the past week, the aggregate being 10,233 cars. More than two-thirds of this increase was consigned to points west of Pittsburgh, while the rest of the consignments were the same as the week previous. The region now has less than 4,000 tons in the idle list and it is probable the number will fall below 3,000 by the middle of April. For the first time in many weeks the shipments were in excess of the production.

IMPORTANT LETTER FROM

Pope, Concerning Catholic University, Will Be Read in All Churches Sunday.

New York, March 31.—The Most Rev. John M. Farley, archbishop of New York, arrived today on the steamer Princess Irene from Naples, after a visit of several weeks in Rome. When the steamer reached quarantine, the archbishop was met by a delegation of priests on the steamer Favorite which he boarded. Archbishop Farley said that the pope's health was good and that he expressed his great love for the United States. He also said he had an important message from the pope concerning the Catholic university question which will be read Easter Sunday morning.

WILL MEET IN OHIO.

New York, March 31.—Itineraries for the long distance automobile runs from the east to the St. Louis exposition have been completed by Chairman Post, of the American Automobile Association committee. From New York there will be a choice of four routes coming together in Ohio. Inspectors are to be sent over all four, and if it be found advisable to make detours they will be arranged by the committee. Prominent foreign automobilists have been invited to join the tourists.

DEMURRER

Filed by U. S. Steel Corporation in Answer

To Bill of Alfred Stevens, a New York Stockholder,

Who Sued the Concern Because of Its Passing of Dividends on the Common Stock—Demurrer Asks for Dismissal.

Trenton, N. J., March 31.—The U. S. Steel corporation through its counsel today filed in the court of chancery a demurrer to the bill of Alfred Stevens, of New York, who sued the corporation because of its passing of dividends on the common stock. Stevens, in his bill claimed that the corporation had made sufficient earnings and that it was compelled under a state law and by its own by-laws to pay the dividend. He asked, among other things, that the corporation be required to disclose its earnings so that the court might pass on the matter. The demurrer is purely formal. It says that the bill of Stevens does not show such a case as entitles him in a court of equity to any recovery from the defendant or to any relief against the matter complained of in such bill. It is asked that the demurrer be sustained and that Stevens' bill be dismissed.

WASHED FEET OF TWELVE OLD

Men in Crystal Hall of the Hofburg.

Vienna, March 31.—Emperor Francis Joseph this morning observed the ancient ceremony of washing the feet of 12 old men in the crystal hall of the Hofburg. The hall was filled with distinguished personages, including members of the diplomatic corps, the cabinet ministers, military officials and court functionaries. The emperor, who was in excellent health, assisted by eight archduke's personally waited on the old men, placing before them food and drink, which, however, they did not consume then, the refreshments being immediately moved and later sent to their homes. The ceremony concluded with the emperor hanging around the neck of each of the old men a silk purse containing the traditional thirty pieces of silver.

The United States was represented at the ceremony by Ambassador Storer, Captain F. Harris, the military, Secretary Hale and Mrs. Hale, Second Secretary Rives and Miss Diehl.

U. S. FIRE PROOF COMPANY IN TROUBLE.

Trenton, March 31.—A petition of involuntary bankruptcy against the U. S. Fire Proofing Co., of Lisbon, O., was filed here today in the U. S. district court. An order to show cause was made returnable on April 4. These proceedings follow the recent appointment of a receiver for the company.

BAD

Bungle in Bandits' Sentence.

Day Fixed On

For Their Hanging Is Illegal.

Fact Developed That Defendants' Attorneys Were to Spring Surprise.

State's Attorney Is Wrestling With Problem, and Striving to Correct Mistake If Possible Before Saturday.

Chicago, March 31.—Seemingly a bad bungle in the sentence of the car barn bandits, Marx, Niedermeyer and Van Dine, confronted the state attorney's office today. Instead of speedy hanging for the condemned trio, a long legal battle seemed perhaps in prospect. The Illinois statutes provided that the date set for hanging must not be earlier than the tenth day of the next term of the state supreme court, nor later than the 25th. April 22, the day on which, according to sentence, the bandits were to be hanged will be the 27th day of the supreme court term. The fact developed that attorneys for the defense had been quietly waiting until Saturday next, when the present term of the criminal court expires. Proceedings were then to have been instituted to have the sentence set aside and the three bandits released. The problem with which the state attorney and his assistants wrestled today was how to correct the mistake if possible and also find an effective way to make the correction before Saturday. Before any action could be taken by the state's attorney application was made today for writs of habeas corpus in behalf of the bandits. The writs were issued by Judge Chytrous and were returnable Monday. Commenting today on the tangle, Judge George H. Kersten, who sentenced the bandits, said: "I was aware of the violation of the exact terms of the statute but Assistant

MEAT OF NEW CODE.

City School Boards Shall Consist of Three, and Not More

Than Eight Members at Large

And Not Less Than Two, Nor More Than Thirty

Elected by Wards or Districts---Brannock Bill Hearing Today---Democratic Convention Probably June 5th.

Columbus, O., March 31.—Briefly stated, the provisions of the Harrison school code, passed last night by the senate are that city school boards shall consist of not less than three nor more than eight members elected at large and not less than two nor more than thirty elected by wards or districts. Village districts shall consist of five members elected at large. All terms shall be of two years. Minimum salaries of teachers \$35 a month.

Brannock Bill Hearing. Columbus, March 31.—The senate judiciary committee gave the Brannock bill its first hearing this morning. The friends of the bill alone were heard. Several amendments will be offered by the liquor people, one of which provides that no saloon may exist within a residence district unless it has the approval of all the property owners for 500 feet on either side. The bill will not come from committee before next Thursday.

Probably June 5th.

Columbus, March 31.—The democratic state central committee will be called together within the next ten days to decide upon the time and place for the next democratic state convention. Columbus will probably

State's Attorney Barnes and Assistant State's Attorney Olsen, had consulted upon this question and I accepted the opinion of the attorneys. If the first sentence was an error then no sentence has been imposed. That being the case the prisoners can be sentenced now and the date of the execution be fixed for the same day. Sentence April 2 will come within the limit of 25 days from date."

ASSOCIATION WILL GATHER

In New York May 9 to Take Final Action on McKinley Memorial Monument.

Canton, O., March 31.—President Day directs that the trustees of the National McKinley Memorial Association be requested to meet at the Manhattan Hotel, New York City, May 9, at ten a. m. The committee that was authorized at the last meeting of the trustees to select a jury of experts and report this jury's findings on the designs that had been submitted under the publication previously made, will be present, together with the experts who have been acting under its direction and a report is expected that shall call for immediate action by the trustees, a proceeding of such vital importance that the consideration and judgment of each trustee should be available.

SENTENCE IS AGAIN PUT OFF.

Bill of Exceptions Being Prepared by Burton's Attorneys Is Not Ready.

St. Louis, March 31.—The bill of exceptions to be filed by counsel for U. S. Senator J. R. Burton, of Kansas, who was last Monday convicted in the United States district court of having received compensation for using his influence before the postoffice department on behalf of the Hallett Grain and Securities Company of St. Louis, has not been completed. Until it is completed and submitted to the government for inspection and personal sentence will not be passed upon Senator Burton. It is considered probable that the bill of exceptions will have been completed by tomorrow and immediately submitted to United States District Attorney Colonel D. P. Dyer.

BAD DAY FOR THEM.

Federal Trust Company of Cleveland Makes an Assignment Today.

Union Trust Co. of Boston

Closes Its Doors---Liabilities of Two Concerns Reach Into Millions---Officers Firmly Claim Depositors Will Lose Nothing---Guardian Trust Co. Guarantees Former.

Cleveland, March 31.—The Federal Trust Co. today, made an assignment to the Guardian Trust Co. The action is stated to have been taken as a result of the disappearance of a prominent official of the Federal Trust Co. Reports are in circulation that a shortage has been found in the funds of the concern.

While no statement has been filed as yet by the Federal Co., it is understood it will turn over about \$1,000,000 in deposits to the assignee. Its total assets will be about \$3,000,000. The Federal Trust Co. has a capital stock of \$1,500,000. It has a surplus fund of \$50,000 and about \$140,000 undivided profits.

According to its last report it had \$2,188,362 in loans and discounts; \$45,300 in real estate loans; owned \$729,000 stocks, bonds and mortgages.

Its last statement showed individual deposits of \$1,593,328, but officials state the deposits were about \$1,000,000 at the close of business last night.

An agreement was practically reached between the directors of the Federal Trust Co., and the Guardian Trust Co., several days ago, providing for the merging of the two concerns. The disappearance of the official of the Federal Co. however, precipitated matters and the directors decided that an assignment would probably avoid a run on the bank and protect all interests.

The deed of assignment to the Guardian Trust company was signed by J. C. Gilchrist, president, and G. J. Bailey, assistant secretary of the Federal Trust company.

Officials of both of the trust companies declare positively that no depositor will lose a penny as a result of the assignment. It is also stated that the shortage in the accounts of the Federal Trust company will probably not exceed \$20,000. In view of sensational rumors however, and the possibility of a run, it was deemed wise to make an immediate assignment. The two concerns were under an agreement recently ratified by the stockholders to be merged on April 1.

Secretary and Treasurer Charles L. Mosher, of the Guardian Trust Co., to which the Federal Trust Co. assigned, made the following statement today:

"The depositors of the Federal Trust Co. are presenting their books for verification and assigning their deposits through the Guardian Trust Co., who are issuing their own pass books for the full amount of deposits

BELGRADE LEVEE HAS BROKEN AGAIN.

Vincennes, Ind., March 31.—The Belgrade levee has broken again and the Wabash is rising an inch an hour. Water is standing in the principal streets here. It has been raining hard for nearly 24 hours in southern Indiana, and a still higher stage of water is feared. This county and Lawrence county, Illinois are largely under water. This being Thursday before Easter, people are attending church in boats. In Lawrence county the water is in the second stories of barns and houses. In one house forty refugees are living. In one school house 27 women and children are staying, while the men come here in boats for provisions. Water over the tracks and landfills have stopped railroad traffic again. The Baltimore & Ohio South Western tracks are in danger. The Indianapolis and Vincennes railroad has not a train for a week.

TITLE CAN NOW BE MADE.

Paris, March 31.—1:45 p. m.—The first civil tribunal of the zone today, decided the case of the Republic of Colombia against the Panama Canal Co., in favor of the defendant. The decision holds that the com-

A SWEET FIRE.

New York, March 31.—A loss of \$50,000 was caused by a fire early today in the factory of the Brewster Cocoa Manufacturing Co., in Jersey City.

GOLD FOR ARGENTINE.

New York, March 31.—The International Banking corporation announces an engagement of \$250,000 gold, for shipment to the Argentine Republic.

HOT

Not From Editor's Pen as Directed

the Bruised Ranks of Foraker Faction.

ney Gazette Unmercifully cores the Allen County Delegation.

Condemns Its Action at Celina as Effort of a Mob to Defeat Rank and File of the Party.

The Sidney Gazette takes a decided stand for the Herrick-Dick side of the republican internal dissension, and is spoken in its condemnation of the delegation which went from Allen county to the Celina convention.

Allen county had come with two delegations, and each demanded recognition at the convention, one in a gentlemanly way while the other endeavored to bulldoze the convention, a mob, which was none the better for the refreshments secured from the reservoir.

the other four endeavor to overcome the will of the people, but failed, lamentably failed, with the jeers of the democrats ringing in their ears.

Now is the time to take a spring tonic to purify the blood, cleanse the liver and kidneys of all impurities.

GIANTS

And Their Ladies Danced at the Armory Hall.

Grant Johnson, the Famous Second Baseman and Short Stop Was the Guest of Honor.

The social triumph of the season in colored society was the ante-Easter ball given at the armory last night in honor of Grant Johnson, the famous second baseman and shortstop of the Page Fence team fame, who is here to officiate for about ten days as coach for manager Charley Sharp's Lima Giants.

Johnson had the Giants out on the Haller street grounds yesterday afternoon, giving the players their first work-out of the season.

The ladies of Calvary Reformed church will hold an Easter sale and exchange in the Hoover Bros. Furniture store windows, on Saturday, all day.

TONIGHT

Will Determine the "As You Like It" Proposition.

The effort made by local theatre goers to secure a performance at Pauro's by the all-star company playing the Shakespeare comedy "As You Like It," was very encouraging so far as the promoters of the proposition were able to go in the short time they were out calling upon representative citizens yesterday afternoon.

Burdock Blood Bitters gives a man a clear head, an active brain, a strong vigorous body—makes him fit for the county, and a baker's dozen from battle of life.

LAST

Car of the Michigan Flyer

Barely Cleared

The Last Span of Mill-creek Bridge

Before the Structure Collapsed and Plunged Into the Waters.

Barrow Escape of C. H. & D. Passenger Train No. 3 From Being Dropped Into the Flood at Carthage.

According to the Enquirer today, south-bound passenger train No. 3 of the C. H. & D., which left here at 4:20 o'clock yesterday afternoon with engineer Louis Kemper, of this city, in charge of the engine, had a narrow escape from being dropped into the muddy, surging waters of the Mill Creek flood at Carthage.

The train is an exceedingly heavy one—too heavy for the weakened bridge piers to withstand. The collapse, however, did not come until the last car had crossed the structure. Then the entire bridge swayed, the heavy girders began to twist, the piers sank into the water and the upper end of the bridge followed.

The order was at once telegraphed up the road to detain all trains from Chicago and Detroit over the Pennsylvania Railroad at Hamilton. All trains leaving Cincinnati were detained over the Pennsylvania as far as Hamilton at which point they switched over to the tracks of the C. H. & D.

A Better Service.

Col. J. C. Winans, traveling passenger agent of the Cincinnati, Hamilton and Dayton road, was in the city yesterday, says the Port Wayne Sentinel, in conference with F. R. Garrison relative to some proposed improvements in the train service in and out of Port Wayne.

Since the Baltimore fire, the train

Most people have thought a tooth brush must be rigid. You can't see the merits of the flexible handle of the "P. S." (Prophylactic Special).

Try the new style once and believe anew.

Always sold in the yellow box.

line mileage bureau has been called upon to redeem numerous mileage books rescued from the ruins in a charred condition. The most interesting of these was a book which had been reduced to a mass of brittle carbon without losing its shape, and was forwarded in a bed of cotton and will be preserved as a curiosity.

Wreck On the I. & M. C.

A dispatch from Peru, Ind., gives the following account of a wreck that occurred on the I. & M. C. branch of the L. E. & W. last night. "The Lake Erie and Western passenger train with 200 politicians and newspaper men on board, returning to their homes from the congressional convention here, tonight, crashed through an open switch in the western part of the city, and telescoped an engine upon the side track.

Effect of Railway Capitalization on Investments.

Recent increases in the capitalization of the Pennsylvania Railroad Co. have exceeded anything of the kind in railway history and have elicited considerable unfavorable criticism from financial sources.

Within a very short period the company has increased its capital stock and bond issue by about \$283,000,000. In 1900 there was an increase amounting to \$72,838,475. In 1901 an increase of \$31,379,637. In 1902 an increase of \$52,829,234 and in 1903 an increase of \$125,973,000.

Offhand it would appear that such undertakings, requiring such hitherto unasked-for sums of money, would cause the general investor to hesitate before becoming interested financially in them.

Between May, 1900, for example, the year in which the first big increase in capitalization occurred, and the close of 1903 the number of Pennsylvania shares increased from 2,783,722 to 5,772,532, and the number of shareholders from 24,289 to 39,483.

May Go to Japan. J. N. Johnston, formerly a conductor on the L. E. & W., who is now in the employ of the Southern Pacific at Kern, Cal., has been tendered a railroad position in Japan.

G. E. BLUEM. The Central Building. G. E. BLUEM. ARE YOU PREPARED FOR EASTER MORNING? You will want Gloves and Hosiery in the latest effects for Easter wear, and we can not only please but delight you in these lines.

Easter Gloves. Foster and Magioni, all colors, for \$1. Foster and Magioni, all colors, for \$1.50. Tretousse, the most popular Suede Glove on the market today, all colors, at \$1.50. Washable Gloves, the 'Marvel' in light shades, a most serviceable glove for many purposes, for \$1.75. Silk Gloves. Silk Gloves for summer, in black and colors; just the thing for wear and comfort, 50c, 75c and \$1. Ladies' Hosiery. A good value in Ladies' Hosiery, seamless, fast black, ribbed top, maco and all black feet, at 15c per pair.

G. E. BLUEM. Dry Goods, Suit House. CENTRAL BUILDING. North Main Street.

FOR YOUR EASTER WANTS IN CLOTHING, FURNISHINGS and FOOTWEAR, See the store with the reputation for advanced styles. MICHAEL'S. STEIN-BLOCH SMART CLOTHES

LET 'ER RAIN. Get one of our new Rain Coats and you will not care if it does rain. They are the newest and most practical Spring and Summer Wrap for this season. Grand Opening Today, Friday and Saturday. STORE OPEN EVENINGS. LIGHT & CONNER Millinery and Ladies' Furnishings. 134 North Main St. New Phone 913—Old Phone 500.

has been in all parts of this country and in Europe. The Axe is Still in Use. Latest reports from the de-capitalizing department of the C. H. & D. announce that the names of passenger conductors Chesahore and Lowery, of the main "stem" and Davis, of the "June", have been added to the list of dismissals. Freight conductors John Clifford, Charles Hollis, James Kelly, Jesse Saunders and Joe Reed, of this city, have been instructed to procure the regulation passenger service uniforms. May Go to Japan. J. N. Johnston, formerly a conductor on the L. E. & W., who is now in the employ of the Southern Pacific at Kern, Cal., has been tendered a railroad position in Japan. Death of Jay Hartman. The death of Jay Hartman, a pioneer resident of northern Allen county, who had reached the age of 71 years, occurred yesterday morning, after an illness from kidney trouble and complications, which have caused his sufferings for some time.

